UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/AC.96/SR.549
22 November 2000

ENGLISH
Original: FRENCH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

Fifty-first session

SUMMARY RECORD OF THE 549th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 5 October 2000, at 10 a.m.

Chairman: Mr. KHORRAM (Islamic Republic of Iran)

later: Mr. MOLANDER (Sweden)

(Vice-Chairman)

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GE.00-03200 (E)

The meeting was called to order at 10.20 a.m.

REPORTS ON THE WORK OF THE STANDING COMMITTEE (agenda item 5)

(a) INTERNATIONAL PROTECTION (continued) (A/AC.96/930)

1. Ms. TAFT (United States of America) said that the Note on International Protection (A/AC.96/930) gave a good idea of the current major protection challenges. Her Government believed that, while the 1951 Convention and the 1967 Protocol still served as a good basis and that it was important to ensure their full and inclusive application, new approaches were also needed. Her Government welcomed the proposal to hold global consultations and hoped that they would make it possible to establish dialogue involving Governments, non-governmental organizations (NGOs), refugee protection experts and refugees themselves. The consultations should also recognize that the greatest burden was currently shouldered by the developing countries. With regard to protection itself, she said that individual protection was as important as group protection and it began with identification and registration. She therefore encouraged UNHCR to continue with the methods tried out in Kosovo, based on the application of new technology. However, legal protection meant nothing without physical protection, which meant the presence of sufficient humanitarian workers on the ground, and they should also enjoy a satisfactory level of security. In that regard, the United States supported the draft Executive Committee decision on the safety of UNHCR staff and all other humanitarian personnel and the conclusion of an optional protocol or any other appropriate instrument that would extend the scope of the 1994 Convention on the Safety of United Nations and Associated Personnel to protect all humanitarian workers.

2. Three points deserved UNHCR's close attention: the protection of women and children, and she hoped UNHCR would hold more workshops of the kind recently held on the subject; resettlement, which was the only durable solution; and the establishment of partnerships among States, intergovernmental organizations and NGOs, which was the best way to ensure effectiveness.

3. Mr. PETIT (France) said that he welcomed the global consultations on protection. He emphasized that the main aim of the exercise should be to confirm the central role of the 1951 Convention and the 1967 Protocol, which were the only consensual instruments on which discussion could be based. The Convention was an integral part of European Union law and the Treaty of Amsterdam referred to it explicitly, stipulating that measures must be taken to harmonize implementation modalities. The Special European Council Summit in Tampere, on justice and internal affairs, had set out to establish a common asylum system that would protect refugee status and therefore detect procedural irregularities used by migrants seeking to abuse that status. To help European Union member States to coordinate efficiently in the proposed global consultations, it would be a good idea for UNHCR to make its voice heard in the competent Community bodies. France saw the consultations as a mutually enriching exercise, but one that should be approached cautiously and under UNHCR's constant supervision, so that the debate could, if necessary, be refocused on the defence of asylum.

4. Mr. GONZALEZ VILLAPAREDES (Venezuela) emphasized the central role of international standards, but also of the conclusions on international protection adopted

periodically by the Executive Committee, which reflected trends and developments in that area and which should be interpreted with appropriate flexibility. The protection of persons in distress was the responsibility of all - UNHCR of course, but also States and NGOs - and it was therefore vital that the various bodies should strengthen their partnership. They should jointly consider how to develop the standards and principles of international law and the new forms of protection that were necessary in the new environment. For its part, and in accordance with its international obligations, his Government had established a technical interministerial committee in June 1999 to ensure respect for the human rights of displaced persons and had concluded a bilateral agreement with Colombia allowing the voluntary repatriation of displaced persons in complete safety and dignity by establishing a humanitarian corridor on national territory.

5. Ms. HILSBO (Denmark) said that she welcomed the global consultation initiative, on the understanding that the 1951 Convention must be the basis for any new approaches to refugee protection. She agreed with the thematic structure of the consultations as outlined by Ms. Feller. Within the first thematic "circle", the focus should be on how to ensure broader accession to the 1951 Convention and its full implementation. With regard to the second circle, it was important to develop the notion of burden-sharing and to improve registration systems and screening procedures. As to individual asylum-seekers and refugees, consultation should focus on complementary forms of protection, the prevention of the phenomenon of irregular movement, the distinction between those who were in need of international protection and those who could not claim the right of asylum and the identification and prosecution of war criminals and other excludable persons. As far as issues linked to migration were concerned, attention should be given to improving repatriation procedures and UNHCR's role in combating trafficking of irregular migrants. Lastly, with regard to protection-based solutions, the focus should be on developing an integration model that would allow refugees to integrate as quickly as possible into their host countries. It would also be important to address the question of improving the system of collecting refugee data. The task was not an easy one, but it was a necessary one.

6. Mr. VAN KESSEL (Canada) said he believed that the global consultations would provide an excellent opportunity to revisit a number of complex issues, such as those relating to the scope and nature of protection in various situations, the varying interpretations of the Convention and the gaps it contained, and the search for durable solutions for refugees. Canada was proud to be hosting many refugees on its territory; at the same time, however, it continued to face a serious problem of clandestine immigration and was grappling with the need to thwart smugglers and traffickers without denying legitimate refugees and immigrants the right of entry. It therefore welcomed UNHCR's position on interceptions, which formed part of Canada's own policy. Canada also believed that the international community should consider what durable solutions could be proposed to refugees, so that they did not fall into the hands of traffickers in the country of first asylum while trying to reach another country. Another important question was that of costs and cost-sharing. The problem was twofold: on one hand, the majority of refugees were in countries of first asylum whose resources were very limited because, generally speaking, they were developing countries; on the other hand, the developed countries spent considerable amounts on their own asylum systems, including large sums on people who did not in fact need protection. Other points to consider during the consultations were exclusion clauses, an area where Canada was prepared to share its own experience in the search for greater

consistency of interpretation at the international level, and the issue of lack of security in refugee camps. He hoped that the consultations would enable signatory States better to understand their responsibilities.

7. Ms. BEDLINGTON (Australia), emphasizing the various partnerships that made it possible to ensure effective international protection, said that, in the first place, there should be a partnership between States and UNHCR: UNHCR could help States to reduce the costs of their asylum systems by ensuring their effectiveness and could support them in their efforts to combat abuses of refugee status. States, for their part, should provide financial, in-kind and moral support to UNHCR. Another important partnership was the one linking donor States, host countries and UNHCR. Donor States had a right to expect clear objectives and a transparent, effective and responsive system, as well as advice on priority populations. Host countries could expect recognition of their indispensable contribution, but also genuine support from the international community, which should seek durable solutions. For its part, UNHCR deserved a reliable financial base and solid support when resources were lacking. Lastly, UNHCR should also establish partnerships with NGOs, which were an important source of knowledge and could bring new ideas. The proposed global consultations would be a good opportunity to strengthen such partnerships. However, to be effective, the consultations must give all States the opportunity to express their opinion and should focus on concrete topics and not become a mere substitute for action.

8. Mr. SKOGMO (Norway) said that he supported the proposed global consultations on the gaps or deficiencies in the protection system. Although the 1951 Convention and the 1967 Protocol were in no way outdated and should therefore be ratified by all States, they hardly met all current needs. The emergence of new categories of people, who were not covered by the Convention, but had a legitimate claim to protection, and the spread of phenomena such as clandestine immigration and human trafficking had altered the basic elements of the problem. In that regard, he said that, although it was important to combat irregular migration, asylum mechanisms should not be placed under strain; Norway had already begun interpreting the instruments more generously, by granting refugee status to, for example, the victims of sexually-based discrimination or inhuman treatment, which Norway considered amounted to persecution. There was no doubt that it was necessary to find durable solutions, and he commended Mrs. Ogata on her perseverance towards that aim and on her considerable successes, particularly in Bosnia and Herzegovina. However, the resettlement of entire groups, which had been deemed the most appropriate solution in Europe in the wake of the Second World War, now seemed to have been replaced by solutions that were equally durable, but more varied and targeted.

9. Mr. VAN DER HEIJDEN (Netherlands) said that the proposed global consultations should strengthen not only the effectiveness, but also the scope of the international refugee protection regime. To that end, it would be necessary to reconfirm the fundamental role of the Convention, whose contents should not be negotiable, and also to establish how it should be interpreted in areas that it did not directly cover, especially with regard to internally displaced persons fleeing from internal conflicts. Three subjects should be addressed: the concept of internal flight and other protection alternatives; the concept of reception in the region; and the prevention of the situations that caused people to feel obliged to seek protection outside their country of origin. Close attention should also be paid to the organization of the consultations.

10. Mr. PRASAD (India) said that there were many poor countries hosting refugee populations, while the better-off States, which were understandably concerned to safeguard their prosperity, imposed ever stricter conditions on refugees' entry to their territory, to the disapproval of public opinion in the rest of the world. For the burden of caring for refugees to be shared fairly, there would have to be a mobilization of international solidarity with the developing countries, which took in large numbers of refugees despite their limited resources, and UNHCR would have to distribute its own resources more equitably among the various regions of the world, something that had not been done in the past. However, an over-rigorous legalistic approach to international protection was not desirable. India provided generous protection to refugees on its territory despite the fact that it was not a party to the 1951 Convention, which did not, in its opinion, deal with the problem of massive population displacements. Security in refugee camps was primarily the host country's responsibility. UNHCR should pay particular attention to the welfare of the most vulnerable groups - women, children and the elderly - but it could not help internally displaced persons except at the express request of the Secretary-General or of the main competent bodies of the United Nations, and only with the consent of the State concerned, since it was primarily that State's responsibility to protect them. Lastly, he said it was essential to ensure that no partnership UNHCR might enter into would prejudice its status as a non-partisan actor.

11. Mr. HEMAYETUDDIN (Bangladesh) said that he supported the proposal for the holding of global consultations, which should contribute to greater flexibility in the implementation of the asylum regime and help to clarify aspects that were not covered by the 1951 Convention. They would also provide an opportunity to recall that international protection depended on responsibility being shared by all countries, particularly as it was developing countries, which had the fewest resources, that bore the major part of the burden of caring for refugees. Bangladesh, for example, one of the least developed countries, took in a generous share of refugees, even though it was not itself a party to the 1951 Convention. However, achieving genuine solidarity in that area required the development of an appropriate mechanism, since States were currently under no legal obligation to assume their share of the burden.

12. The consultations on international protection would also be an opportunity to recall that refugees and asylum-seekers warranted different treatment from that given to irregular migrants. In the current confusion, some countries seemed more concerned to expose abuses than to fulfil their obligations with regard to protection and tended to humiliate individuals who were in fact entitled to claim international protection.

13. Lastly, he said that the most vulnerable refugees - women, children and the elderly - should be given special protection.

14. Mr. WEISS (Austria) said that he supported the holding of global consultations on international protection and that the exercise should restore the 1951 Convention and the 1967 Protocol to their rightful place and encourage the countries that had not done so to accede to those instruments. The aspects not covered by the Convention should also be addressed in a wide-ranging debate organized under the auspices of UNHCR and involving all the parties concerned, especially IOM, OSCE and the Council of Europe, as well as interested NGOs. His delegation believed that it would be necessary to take the opportunity to clarify the meaning of the expressions "membership of a particular social group" and "safe third country", used in the

relevant instruments, and to consider what action to take in cases of mass population movements, how to coordinate between States in cases where refugees were granted temporary admission to a given territory and what regional solutions might be envisaged to implement the principle of international solidarity.

15. Mr. AL-KAISI (Observer for Iraq) said that the best way to prevent refugee movements was to address their root causes. The time had come to look into the serious consequences of the economic embargo which had been imposed on Iraq by the Security Council and had hit the civilian population hard and triggered the exodus of more than 1 million people. In its excess and cruelty, the implementation of the embargo bordered on genocide. It ran counter to the spirit and principles of the Charter of the United Nations, international humanitarian law and international human rights instruments. It must be lifted so that all the refugees could return home and be reintegrated into society, thereby reducing the burden on UNHCR, donor States and host countries, particularly European countries, which were already much in demand as a result of other crises such as the one in the former Yugoslavia.

16. Mr. BACCAR (Tunisia) denounced the lack of respect for the basic international protection instruments and the selfish arguments that at times resulted in violations of refugees' and asylum-seekers' rights, particularly the rights of the most vulnerable among them. He urged UNHCR to revitalize the international refugee protection regime and to re-establish a global partnership in order to implement that protection. In that regard, States, as concerned parties, should be able to fulfil their responsibilities without forgoing their legitimate interests. In common with other delegations, the Tunisian delegation recommended increasing financial support for international refugee protection and welcomed the global consultation process on the subject.

17. Mr. SUN Changqing (China) said that he wholeheartedly supported the global consultation process aimed at revitalizing the 1951 Convention and the 1967 Protocol, which were the legal basis of the international refugee protection regime. The consultations should not concern themselves with the Convention itself, but with finding innovative solutions to the new problems of internal displacement and irregular migration flows. One of the priority issues was the need for sufficient resources to ensure international protection. Considerable resources were being spent on screening asylum-seekers rather than on funding aid to refugees. The developing countries, which took in three quarters of the world's refugees, expected the consultations to lead to an alleviation of their heavy burden. China, as a party to both the 1951 Convention and the 1967 Protocol, had always fulfilled its international obligations, for example, by giving the necessary protection to Indochinese refugees in its territory. China was now developing relevant legislation to improve the protection regime and he thanked UNHCR for its help in that regard. Lastly, he said that the best present that could be given to UNHCR on the fiftieth anniversary of the 1951 Convention would be to make the protection regime more effective and more adapted to current conditions.

18. Ms. FELLER (Director, Department of International Protection), responding to delegations' comments, welcomed Governments' recognition of the 1951 Convention as the basis of the refugee protection regime. She was pleased that the majority of delegations had emphasized the importance of the full implementation of the Convention and the need to strengthen the provisions on control. She welcomed the support of countries as diverse as India,

Bangladesh, China, Colombia and Venezuela for the global consultations, whose chief aim, she recalled, was to revitalize the protection regime. It was important that there should be a balanced agenda that reflected all country groups' opinions. In preparing the agenda, therefore, UNHCR wished to take account of all delegations' comments, particularly on gender issues, problems of refugee registration, the capacity to deal with mass flows, the durability of suggested solutions, burden-sharing, etc.

19. She was aware that the process was not risk-free and she believed that it was precisely for that reason that it should focus on protection and not on issues beyond UNHCR's mandate. She agreed with the delegations of Finland, Australia and the Netherlands on the need fully to involve NGOs in the process, as well as such international organizations as ICRC and IOM. A number of delegations had rightly warned against adopting an over-legalistic approach, since there were cases on the ground where protection could be ensured even outside a formal legal framework.

20. In response to the questions asked by a number of delegations, she said that UNHCR would be publishing the reports on the round tables on the interpretation of the Convention and distributing them to all member States, which would be able to use them in their refugee status determination procedures. In that regard, UNHCR had embarked on capacity-building projects in seven countries (Morocco, Niger, Cyprus, Chad, Islamic Republic of Iran, South Africa and Turkey). With regard to the physical safety of refugees, UNHCR had already launched a number of specific activities aimed at improving the protection of vulnerable groups, particularly women and children. As to the timetable for the global consultations, an initial organizational meeting was planned for the beginning of December to prepare the agenda and programme for the Executive Committee meetings at which the consultations would be discussed.

21. Lastly, she reaffirmed the importance of the consultation process, whose success would depend on detailed, constructive contributions from each of the member States.

22. Mr. Molander (Sweden), Vice-Chairman, took the Chair.

REPORTS ON THE WORK OF THE STANDING COMMITTEE

(b) PROGRAMME, ADMINISTRATIVE AND FINANCIAL MATTERS (A/AC.96/929, 933 and Add.1, 936, 939, 942 and 943)

23. The CHAIRMAN invited the Executive Committee to consider the work of the Standing Committee on programme, administrative and financial matters, which was reported in detail in paragraphs 4 to 10 of the report on the work of the Standing Committee (A/AC.96/942).

24. He said he took it that the Executive Committee wished to take note of the work of its Standing Committee during the past 12 months and that it was satisfied with its administration of UNHCR's activities and programmes.

25. It was so decided.

CONSIDERATION AND ADOPTION OF UNHCR'S ANNUAL PROGRAMME BUDGET FOR 2001 (agenda item 6) (A/AC.96/932 and Add.1)

26. The CHAIRMAN invited the members of the Executive Committee to consider UNHCR's annual programme budget for 2001 (A/AC.96/932 and Add.1) and drew their attention to table 1.3, which contained the budget approved for 2000 and the draft budget for 2001. The documents had been closely studied by the Standing Committee, whose views had been taken into account in the draft general decision on administrative and financial matters which had been referred to the Executive Committee for adoption.

27. Mr. FAKHOURI (Controller and Director, Division of Resource Management) said that the document dealing with the budget, which was half as long as the one produced for the previous exercise, was the outcome of consultations between UNHCR, the Executive Committee and the Advisory Committee on Administrative and Budgetary Questions (ACABQ). The budget had been drafted on the basis of, and drawing on, a needs analysis carried out in consultation with all partners, governmental and non-governmental. He drew attention to part II of the document, which contained a summary in tabular form giving an overall view of the programme's goals and objectives and measurable indicators of outcomes. With regard to the figures, he pointed out that headquarters expenses accounted for 10 per cent of the total budget and that 4,800 posts were projected for 2001, 85 per cent of them in field offices. He recalled that, at the beginning of the current year, the draft budget had been estimated at US$ 1.1 billion, but, following an internal study and the application of stricter criteria, that figure had been reduced to US$ 935 million and then to US$ 890 million. He believed the last figure was a more accurate and equitable reflection of the requirements for 2001.

28. Mr. HOREKENS (Director, Division of Communication and Information) said that a point of crucial importance was that the adoption of the budget was not an end in itself, but should result in effective funding. The Executive Committee traditionally approved UNHCR's budget without much debate, but funding that budget was a different matter. UNHCR had recently faced a chronic deficiency of fresh resources, a problem exacerbated by the gradual decrease in secondary income and carry-over. UNHCR therefore called on the Executive Committee to give it the indications needed to orient major operational priorities and, at the same time, urged cash donors to give a clear idea of funding prospects for the unified budget. That was vital for the smooth planning and implementation of UNHCR operations.

29. He called on States to make early contribution pledges at the pledging conferences to be held on 10 November in New York and in early December in Geneva in conjunction with the launch of the 2001 Global Appeal. A high level of firm pledges before the beginning of the programme year was essential for the appropriation of resources for the first quarter of the year; without that, and particularly with the expected low carry-over, UNHCR would not be able to pursue its operational activities. He also asked for a concerted effort on the part of cash donors to plan their additional contributions progressively throughout the year, in line with the periodicity of UNHCR's quarterly allocation of resources. UNHCR would like to be able to establish a clear and predictable funding plan for 2001 that would take account of its own needs and donors' specific opportunities and constraints.

30. Mr. SKOGMO (Norway) said that the Nordic countries had always given strong political and financial support to UNHCR's work and were its second largest donor. He acknowledged the important contributions also made by developing countries that hosted large refugee populations.

31. The Nordic countries were convinced that the unified budget was an important step forward, as it provided a transparent and more comprehensive picture of UNHCR's activities. It allowed a more strategic management process and gave the High Commissioner greater flexibility to use available funds. The Nordic countries were glad to see that the unified budget had not led to a higher level of earmarking. They also believed that a biennial programme planning cycle might be more appropriate.

32. The Nordic countries were very concerned to note that, despite the efforts to establish a more realistic budget, UNHCR had been forced to cut its programmes due to inadequate funding. Member States had a responsibility to fund UNHCR and it was necessary to find mechanisms to ensure a better link between the adoption of the budget and the payment of contributions, which needed to be predictable and stable if UNHCR was to have the flexibility to implement its mandate. The Nordic countries also believed that UNHCR should make greater efforts to broaden its donor base and that there was scope for a number of countries to increase their contributions.

33. Priority setting was an essential element of a budgeting process and should be part of the overall strategy. UNHCR should clarify to donors the consequences of the budget deficit for refugees and limit as far as possible the impact of any budget cuts.

34. The Nordic countries commended UNHCR for presenting an annual programme budget that was concise, clear, easy to read and more realistic. They would, however, like greater attention to be paid to the emergency preparedness and response capacity, security arrangements for staff and refugees, and evaluation. They believed UNHCR should focus on its core activities and try, as far as possible, to engage other actors in the implementation of tasks. Lastly, they welcomed the continued dialogue with UNHCR on budgeting and financial matters.

35. Ms. DRADIE (Italy) commended UNHCR on having submitted a clear and useful detailed annual programme budget, which confirmed that the idea of a unified budget had been a good one. She paid tribute to UNHCR's constant efforts to improve transparency, accountability and information to donors and drew attention to the comments made in the report of ACABQ (A/AC.96/932/Add.1). She also expressed satisfaction with the Mid-year Progress Report, which enabled donors to monitor UNHCR work better and to improve their financial planning.

36. With regard to the global programmes, she encouraged UNHCR to continue to mainstream refugee women's issues, gender equality and children's rights in its protection and assistance programmes. She thanked UNHCR for the updated information it had provided on the living conditions of refugee women and children. As already mentioned by a number of delegations, the physical security of refugee women and children was a crucial aspect, whatever their situation. The issue was a complex one and it was primarily up to countries to ensure refugees' safety, but she encouraged UNHCR to step up its advocacy and protection activities and to seek closer cooperation with the competent national authorities and social institutions.

Her delegation recommended that refugee women should be fully involved in the design and implementation of measures that might enhance their own safety and that of their children. Women's direct participation guaranteed the success of any action to help them or the population as a whole.

37. Mr. McGILL (Canada) said that he welcomed the structure of the unified budget, which better reflected the activities of UNHCR. The new format of the presentation of the country programmes and the anticipated results for 2001 demonstrated UNHCR's commitment to keep donors better informed about the effectiveness of its activities. It was essential that UNHCR should continue to publish the results achieved with the resources allocated to each programme. His delegation recommended that UNHCR should adopt a multi-year strategic planning approach, which would enable it to focus more closely on its priorities. Canada also welcomed the proposed informal consultations to discuss the funding of programmes and the development of the 2002 budget. He hoped that they would address issues of particular concern, such as the allocation of funds and the establishment of priorities. For example, the security of refugee camps and of personnel was a very high priority for UNHCR, but it was seriously underfunded.

38. His delegation was concerned that gender mainstreaming had not been given sufficient priority in the 2001 annual programme budget. In addition, it was deeply concerned about the lack of human and financial resources allocated to the implementation of UNHCR's gender policy. It encouraged UNHCR to proceed as soon as possible with the joint field assessment of the implementation of UNHCR's guidelines on the protection of women. It was regrettable that the special adviser on gender issues had been appointed for only one year: his delegation would like a five-year strategy to be developed and the Executive Committee to be regularly informed on progress in that area.

39. While recognizing the improvements that had been made with regard to evaluation, his delegation urged UNHCR to put in place an evaluation function that would also include activities related to the dissemination of evaluation results and their further use in the planning and budgeting cycle. It believed the level of resources allocated to evaluation in the 2001 programme budget were insufficient and would like resources allocated to research and documentation to be increased to 0.5 per cent of the programme budget in 2002. Lastly, Canada proposed that the informal consultations initiated in July 1999 on UNHCR's performance review framework should be resumed as soon as possible.

40. Ms. GILLIES (Australia) said she was pleased that UNHCR had submitted a more concise, more comprehensible and more useful programme budget. However, that would not be enough to solve the problem of funding the budget. Donors must also be convinced that UNHCR's programme focused on the right priorities and would be delivered efficiently.

41. Her delegation believed that the budget could still be improved. It should be more strategic - that was to say, it should be based on the careful consideration of UNHCR's core functions and objectives, partly through multi-year planning. It should articulate clear objectives, set out a strategy for achieving those objectives and include performance indicators, as it already did at the country level. It should also incorporate adequate allocations for central

management functions such as strategic planning, monitoring and evaluation, emergency preparedness, coordination, security and exit strategies. It should be better coordinated with the activities of other humanitarian and development agencies and should identify the responsibilities of each. It should be more equitable - that was to say, it should ensure that all people of concern to UNHCR received a similar level of service. A budget combining all those attributes would be more achievable.

42. Donors must also play their part by displaying more confidence in UNHCR; they should allow it greater flexibility by earmarking fewer contributions. Lastly, she said that Australia supported the recommendation for informal consultations in preparation for the 2002 budget.

43. Mr. HUNTER (United States of America) said he welcomed the 2001 programme budget, but was dismayed to see that UNHCR once again faced a significant shortfall in funding for 2000. He emphasized the need to provide UNHCR with the funding needed to do its job, particularly with regard to emergency preparedness, response and coordination. He endorsed Mr. Horekens' proposal on the timetable for pledges. The United States appealed to other donors to ensure that UNHCR entered 2001 in sound financial health.

44. It was important to deal with the question of donors' ability to fund the budget they had approved. In that regard, he regretted the decline of European Commission funding in 2000, but was pleased to hear that steps had been taken to reverse that trend. If UNHCR still faced a budget shortfall in 2001, it would be necessary to ensure that priority was given to its core functions. For other activities, UNHCR should reach an agreement with other agencies. When UNHCR was given responsibility for internally displaced persons, extrabudgetary sources of funding must be identified. Mechanisms to address new priorities should be put in place.

45. He welcomed the continuing consultations between UNHCR and member States on budgetary matters and supported strategic budget consultations for 2002 and continuing Standing Committee oversight for 2001.

46. Mr. TAKASU (Japan) said that, although the unified budget had made it possible to increase transparency, allocate funds more flexibly and reduce contributions, the problem of the gap between funding requirements and donors' contributions remained. Since 98 per cent of UNHCR's budget was funded from voluntary contributions, the problem was inevitable, but it could be alleviated through increased coordination among donors. His delegation believed that it was extremely important to solve the shortfall problem. He wondered what would happen when the 2001 programme budget had been adopted, after what had happened in 2000, when Japan had increased its own contribution significantly. While it was important to discuss strategic considerations, improving prioritization should not be merely a matter of cutting the budget. It would also be very useful if the member States of the Executive Committee could be involved at an earlier stage in the preparation of the budget. Lastly, his delegation requested clarifications on the cost of enhancing personnel security. Would it be possible to finance security expenditure out of the 2000 programme budget or would additional funding be required?

47. Ms. DUCHENE (France) said that she welcomed the new format of the budget, which was more user-friendly, but would have liked to see a region-by-region analysis of programmes. She requested details on security expenditure. She acknowledged that 2000 had been a difficult year in terms of funding for UNHCR. France would be donating 3 million francs to UNHCR for its operation in Guinea. As to the European Commission's contribution, she said the European Union member States were making every effort to improve the situation, but it was not easy to obtain Community funds when there was no evident crisis, such as the one in Kosovo. A certain amount of headway had been made to date, but her delegation believed that engagement in strategic dialogue with the European Commission would help improve understanding and facilitate the release of funding. She therefore welcomed the dialogue between UNHCR and the member States on the budget and operations.

The meeting rose at 1 p.m.

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/AC.96/SR.550
18 October 2000

Original: ENGLISH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

Fifty-first session

SUMMARY RECORD OF THE 550th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 5 October 2000, at 3 p.m.

Chairman: Mr. KHORRAM

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REPORTS RELATING TO PROGRAMME OVERSIGHT

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GE.00-03228 (E)

The meeting was called to order at 3.15 p.m.

STATEMENT BY THE CHAIRMAN OF THE STAFF COUNCIL

1. Mr. N. HUSSAIN (UNHCR Staff Council), paying tribute to Ms. Ogata, said that the staff of UNHCR had a keen interest in the succession and believed that continued strong leadership would be critical to the organization. Staff would have liked their views to be taken more into account in the selection process.

2. The brutal murders of four colleagues were still fresh in everyone's minds. Thousands of humanitarian workers around the world had recently taken part in a day of protest marches in order to send a message that, if they were to go on saving lives, their own must be better protected. Staff were deeply committed to serving the needy, but did not want to be killed in doing so.

3. Aid personnel were impatient for action by the international community and the leadership of the United Nations to improve their security. The primary responsibility lay squarely with States: member States that had not already done so should sign and ratify the 1994 Convention on the Safety and Security of United Nations and Associated Personnel; member States should also support the adoption of an additional protocol to include all humanitarian workers; and the Statute of the International Criminal Court, which classified attacks on humanitarian personnel as a war crime, also urgently required ratification.

4. Legal instruments were not in themselves a guarantee, however. Host Governments must introduce more effective security measures, particularly in remote locations, where staff members' lives were often at risk. Lastly, funding for staff security must be increased. The resources currently available in no way matched the needs.

5. The United Nations, too, must show greater commitment to the security of both international and local staff. First, it must adopt a firmer position towards States that failed to meet their obligation to protect staff. Second, a clear threshold of risk must be established, beyond which staff would not be put at risk, whatever the external pressures. Lastly, flaws in the internal management of staff safety must be urgently addressed. The lessons of Atambua and Macenta must be learned and acted on.

6. In the area of human resources management, the first challenge was to speed up the new postings process, which had proved very cumbersome. Over 200 advertised posts were still unfilled, yet 150 colleagues were still waiting for posts. Such delays had a negative impact on UNHCR operations and created anxiety among staff members and their families. The current joint Staff-Management Review of the postings process should implement recommendations as soon as possible.

7. The Review should also reinforce the Appointments and Postings Board (APB), which had been reduced to a procedural review body with no authority to advise the High Commissioner or to take positive action on the filling of posts. An empowered APB was

essential, not only for operational reasons, but also to build staff confidence in the posting process. It could also help ensure the implementation of policies such as geographical and gender balance, for which no mechanisms yet existed.

8. A related problem was the absence of appraisal reports for more than 50 per cent of staff members globally, in the context of the Career Management System (CMS). Since performance was the basis of posting and promotion, that was a matter for urgent attention by senior management.

9. With regard to the forthcoming review of the rotation system, the Staff Council believed that any new mechanism to move staff between duty stations should be based on certain principles. First, UNHCR should aim for a strong presence in places where it could have the greatest impact. Second, all international staff should serve in the more comfortable as well as the tougher locations during their careers, not only as a matter of fairness, but also as part of the process of broadening their experience. It was also important that staff should not fear that they would be "forgotten" or that their career prospects might be jeopardized by accepting postings to more remote workplaces. Third, the new system must be flexible enough to accommodate personal and family considerations. Lastly, if staff were to spend part of their careers in the field, UNHCR must show a clear commitment to enhancing security and working and living conditions.

10. In view of the importance of such issues for UNHCR operations, he proposed that human resources management questions should be regularly discussed at Standing Committee meetings.

11. In general, a healthy and constructive dialogue between staff and decision-makers was essential in an organization that relied heavily on the morale and motivation of staff who made enormous sacrifices in order to bring its mandate to life. At present, however, there was a certain imbalance in that dialogue, with management views too often prevailing over those of staff. Staff also believed that human resource issues required closer attention from senior management. The Staff Council was confident that the will was there; what was needed was action in order to give personnel issues the priority they deserved.

12. Mr. I. HUSSAIN (Pakistan) said that the staff's unwavering commitment was indeed the key to the success of UNHCR's mission and he shared the staff's frustration and anguish at the recent tragic events and the increase in violent attacks. The security issue was high on member States' agenda and they would do their utmost to strengthen protection and safety. A number of delegations were concerned at the inadequate funding requirement for meeting security needs.

13. The other staff issues that had been raised all deserved attention and he urged UNHCR's senior management to address those concerns properly during the coming year.

REPORT ON THE PRE-EXECUTIVE COMMITTEE MEETING WITH NON-GOVERNMENTAL ORGANIZATIONS

14. Mr. SCHENKENBERG van MIEROP (International Council of Voluntary Agencies) said that nearly 200 NGOs had taken part in the Pre-Executive Committee consultations. There had been an exchange of views on PARINAC, which was felt to be an important collaborative

process and should be strengthened. Regional focal points had called for increased resources for communications and regional meetings, while UNHCR and NGOs had called on PARINAC to address protection issues and review its structures to increase effectiveness.

15. NGOs looked forward to taking part in the planned Global Consultations on international protection. NGOs had become increasingly involved in protection and were working closely with UNHCR in the Reach Out process. The discussion on protection had covered, inter alia, interdiction and access to asylum procedures; internally displaced persons; UNHCR's relations with regional bodies; and the need for UNHCR field offices to be more supportive of NGO work in the area of protection.

16. With regard to the role of private companies, some NGOs had agreed that work needed to be contracted out, while others had stressed the value added by NGO operations. Suggestions had also been made on how the military could contribute to humanitarian operations, although NGOs had expressed reservations about that role. There had seemed to be a consensus that the military was most useful in providing a secure environment for humanitarian operations.

17. It had been noted that UNHCR-NGO cooperation and coordination needed to be improved with regard to safety in the field. A short-term task force of the Inter-Agency Standing Committee Working Group had been set up to develop a framework agreement on security in the field.

18. Lastly, he said that NGOs had expressed concern at the budget cuts imposed by UNHCR on its implementing partners. While acknowledging UNHCR's structural underfunding, he said cuts so late in the year had a particularly adverse impact on programmes.

CONSIDERATION AND ADOPTION OF UNHCR's ANNUAL PROGRAMME BUDGET FOR 2001 (agenda item 6) (continued) (A/AC.96/932 and Corr.1 and 2 and Add.1)

19. Mr. MUKALAY (Democratic Republic of Congo) said that, while he recognized that the budget would not allow UNHCR to deal with every refugee problem and that donors had certain demands, he would like to see greater flexibility in prioritization. In the Great Lakes region, for example, there were still major problems, with people fleeing from conflict and resources not always available.

20. Donors sometimes allocated funds to particular regions without being aware of actual needs on the ground. He called on them to show more generosity to Africa and particularly to the "hot spots" where conflict raged and needs were increasingly urgent.

21. Mr. THEVENAZ (Switzerland) asked whether the budget for 2001 aimed to cover the needs arising from UNHCR's core mandate or the needs UNHCR estimated that donors were prepared to finance. He also wondered what the impact of the budget cuts would be on field operations and at headquarters.

22. Donor States would like humanitarian actors to coordinate their work precisely and cooperate fully so as to make every contribution count. Switzerland also believed in coordination among donors and suggested that the evaluations, which were useful management tools, could be made jointly by several donor States.

23. He noted that the operational reserve had been increased for 2001, and that would help UNHCR in its commendable efforts to increase surge capacities.

24. He expressed appreciation for the High Commissioner's commitment to tap the energy, flexibility and creativity that existed within UNHCR. That implied an optimal use of human resources in order to bring talent, energy and vision to the fore.

25. Mr. HOREKENS (Director, Division of Communication and Information), replying to the question raised by the representative of Switzerland, said that the budget reflected both the needs identified by UNHCR in fulfilment of its basic mandate and the amount that could be covered by donors and was, of course, subject to consultations with donors. All the comments on the new-style budget, gender issues, evaluation and research had been noted and would be actively followed up in future programmes.

26. With reference to some of the specific questions raised during the debate, he said that he saw prioritization not as a budget-cutting exercise, but as an exercise in identifying core priorities within the overall strategic planning review. On the question of security, an inventory was being made of all security items and costs and measures to ensure staff safety and security in refugee camps were being reviewed. He would like to see security identified as an operational sector in the budget, rather than as part of administrative support. Security would also be on the agenda when stock was taken of the unified budget in the forthcoming year.

27. He welcomed the proposal for further consultations on funding the unified budget. The secretariat was working on expanding the donor base, not only to include more Governments, but also to seek out non-traditional donors from the private and corporate sector. Although that sector did not as yet provide much in the way of predictable income, he expected that, within five years, it would provide a significant portion of UNHCR's income. He acknowledged the contribution of States which were not cash donors, but which contributed significantly to refugee work by making material resources available. He would like to see those important contributions highlighted in future budgets. He thanked the representative of France for the contribution of FF 3 million announced for Guinea, as well as for undertaking to solicit greater support from the European Commission for UNHCR programmes in general. The comments on prioritization by the representative of the Democratic Republic of the Congo would be taken into account in the review to be carried out with donor States. Lastly, he called on all donors to announce high levels of pledges at the forthcoming pledging conference in New York and thanked the representative of the United States of America for taking the lead in making such an announcement in advance of the conference.

28. The CHAIRMAN drew the Executive Committee's attention to the draft decision on administrative, financial and programme matters, which had been the subject of an intensive process of consultation with all member delegations under the chairmanship of the Rapporteur. He also drew attention to table 1.3 contained in document A/AC.96/932/Corr.2, which showed

that the revised total budget for 2000 amounted to $942,346,200, of which $824,741,000 was for the annual programme budget for 2000, and that the total proposed budget for 2001 amounted to $898,527,700, of which $872,403,100 was for the annual programme budget for 2001. If there was agreement on the revised annual budget for 2000 and the proposed budget for 2001, he would take it that the Executive Committee wished to adopt the draft decision.

29. It was so decided.

REPORTS RELATING TO PROGRAMME OVERSIGHT (agenda item 7) (A/AC.96/931, 933 and Add.1, 934, 935 and 943)

30. The CHAIRMAN said that a detailed discussion of the documentation relating to audit and oversight matters had already been held at the 19th meeting of the Standing Committee and had been summarized in the report of that meeting (A/AC.96/943). The discussion had also been reflected in the Decision on Administrative, Financial and Programme Matters.

31. Mr. MORRIS (Inspector General, Inspection and Evaluation Service), introducing the report on UNHCR's inspection activities (A/AC.96/934), said that work had begun on the internal inquiries ordered by the High Commissioner into the killings of UNHCR staff in Indonesia and Guinea. The focus of the inquiries would be on the actions and responses of UNHCR. Although the inquiries had led to the postponement of some planned inspections, the possibility of fielding two inspection teams now that the High Commissioner had agreed that inspections of smaller operations could be led by the Senior Inspection Officer would allow a limited increase in the number of inspections and more attention to post-inspection follow-up.

32. Lessons could be drawn from the observations common to many inspections. For example, there was a need to provide greater support to staff in the deep field and for action to ensure that posts in the front line were filled promptly with experienced staff. The implications of the changing composition of UNHCR field teams, which now included United Nations Volunteers, project staff and secondees from non-governmental organizations, and the new challenges faced by national colleagues, some of whom continued to work when insecurity had forced international staff to withdraw, had been considered at a meeting of the Senior Management Committee in August 2000. Management had identified a need for field managers to do more to make all members feel part of the team, as well as a need for better coordination and information exchange among the different units, both within offices and between field and country offices. At the same time, the Inspection and Evaluation Service had a strong support and advice function and tried to identify best practices, of which there were many good examples, and to disseminate them.

33. With regard to the Service's investigative responsibilities, UNHCR faced particular problems in ensuring the integrity of the refugee status determination and resettlement process. Other subjects requiring investigation were less specific to UNHCR's responsibilities. UNHCR's investigative capacity was limited, although it received good support from the Investigations Section of the Office of Internal Oversight Services and others. He expected the forthcoming Joint Inspection Unit report on investigation capacities in the United Nations system to suggest ways to increase and improve those capacities.

34. The creation of an inspection function in UNHCR, which had been a personal initiative of Ms. Ogata's, was a significant investment, adding up to about US$ 1 million a year, but he was convinced that the investment was essential for an organization with such a diverse field presence.

35. Mr. CRISP (Evaluation and Policy Analysis Unit), introducing the report on UNHCR's evaluation activities (A/AC.96/935), said that the Unit's capacity had increased significantly since its creation a year earlier. Progress had been made in implementing the four basic principles of transparency, consultation, independence and relevance, in introducing new evaluation methodologies and in cooperating with other agencies, Governments and non-governmental organizations. However, there was still a need to strengthen the capacity of the Unit, to mainstream evaluation in the work of UNHCR as a whole, to establish the Unit's work programme more systematically and incorporate its findings in the programme- and policy-making processes and to involve Governments and non-governmental organizations directly in the evaluation function.

36. He suggested four practical steps the Unit could take to enhance the effectiveness and accountability of UNHCR: reconvene the informal consultations on evaluation; prepare a plan of action for the evaluation function drawing extensively on the report by the independent consultancy; involve member States, non-governmental organizations and refugees themselves in evaluation activities - members of the Executive Committee, for instance, could make experts available to the evaluation teams and send representatives to the evaluation workshops it was planned to hold; and learn from the past experience of member States in developing effective evaluation policies and procedures.

37. Ms. RAATIKAINEN (Finland) said that the Evaluation and Policy Analysis Unit had taken many steps in the right direction. She welcomed the initiative to use outside expertise for developing its evaluation function and agreed with many of the conclusions and recommendations in the study. Two of its findings, however, were a cause of special concern. According to the report, the resources of the Unit were inadequate to provide a basic minimum level of accountability: a commitment to rectify that key problem should be reflected in the budget. Also according to the study, the impact and value of evaluations remained limited. It was pointless to conduct expensive evaluations if the results did not feed into the planning and programme and policy development of UNHCR. UNHCR staff would be better able to understand the evaluation function if they were involved in the evaluations.

38. She supported the idea of reconvening the informal consultations on the evaluation function and the other ideas presented by Mr. Crisp on the practical steps the Unit would be taking.

The meeting rose at 4.15 p.m.

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/AC.96/SR.551
20 November 2000

ENGLISH
Original: FRENCH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

Fifty-first session

SUMMARY RECORD OF THE 551st MEETING

Held at the Palais des Nations, Geneva,
on Friday, 6 October 2000, at 10 a.m.

Chairman: Mr. KHORRAM (Islamic Republic of Iran)

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CLOSURE OF THE SESSION

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GE.00-03204 (E)

The meeting was called to order at 10.40 a.m.

ADOPTION OF THE REPORT OF THE FIFTY-FIRST SESSION OF THE EXECUTIVE COMMITTEE (document without a symbol) (agenda item 11)

1. Mr. ALFELD (Rapporteur) thanked delegations, whose willingness to enter into dialogue and cooperate had made it possible to reach a consensus on the decisions and conclusions contained in the draft report. He drew attention to the decision relating to observer delegations' participation in meetings of the Standing Committee in 2000-2001, noting that four countries - Armenia, Georgia, Guatemala and Rwanda - had been added to the list in paragraph 31.

2. The report of the fifty-first session of the Executive Committee was adopted.

CLOSING STATEMENT BY THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

3. Mrs. OGATA (United Nations High Commissioner for Refugees) thanked delegations for their tributes to the UNHCR colleagues killed in West Timor and Guinea and said she had been encouraged by the fact that they had all stressed the need to strengthen security for all humanitarian workers. Although a wide range of subjects had been discussed, a number of common concerns had emerged, including the linkage between conflicts and refugees, the complex relationship between asylum, migrations and human trafficking and the need to act quickly when lives were at stake. She appreciated the fact that many delegations agreed with her on the need to strengthen and improve UNHCR's emergency preparedness and response capacity in increasingly complex humanitarian crises. Similarly, delegations' reactions to the global consultation process had been very positive and UNHCR had taken note of the many constructive suggestions made on the format and scope of the consultations, which should revitalize the international protection regime. She considered that the consultation process should be based on a well-defined agenda, concrete objectives and a specific timeframe.

4. With regard to solutions, there was a consensus that voluntary repatriation was the best solution for most refugees. It was therefore necessary to capitalize on the "windows of opportunity" now available for returns, as in Bosnia and Herzegovina and Croatia, and for peace, as in Burundi, the Horn of Africa and elsewhere. Yet voluntary repatriation was not the only durable solution and many delegations had emphasized the important role of resettlement within the overall strategy. Perhaps that signified a growing realization that unending refugee crises served no one's interests.

5. The discussions had highlighted concerns about the lack of security in refugee populated areas and a consensus had emerged on the need to protect not only refugees, but also humanitarian workers. Neither should local people be obliged to suffer as a result of the presence among refugees of armed groups or the perpetrators of violence. The situation in West Timor had clearly shown that failure to deal decisively with the causes of insecurity put refugees and the local population at serious risk. It was agreed that conflicts produced refugees, but refugee situations, when allowed to fester, could help ignite and even spread conflicts across

borders, as the situation in West Africa illustrated. Conflict prevention was the immediate priority, but, in the long-term, the international community must back up UNHCR's efforts with the sustained political, military and economic engagement needed to bring stability.

6. A number of delegations had urged UNHCR to stick to its mandates and focus on core activities. That was easier said than done. The search for sustainable solutions frequently depended on factors that fell well outside UNHCR's mandate and expertise. In addition to its operational activities, UNHCR had to play a catalytic role in mobilizing all the other actors, particularly in the areas of security, the rule of law, financing, reconstruction, development and economic revitalization.

7. With regard to funding issues, she said that many delegations had called on UNHCR to make greater efforts to prioritize its activities. However, the real needs of refugees placed limits on how far UNHCR could go in reallocating its budgets and reducing its programmes - and those limits had been reached. She was grateful to those delegations which had made new pledges of contributions, particularly as UNHCR was chronically underfunded. If it was able to make the funding of UNHCR's activities more stable and predictable, the international community would alleviate the heavy burden the upkeep of refugees imposed on host countries.

8. With regard to effectiveness, she said that efforts should be made to make the Executive Committee a more dynamic forum. The numerous statements made during the consideration of the annual theme had become very similar; one might have expected a variety of perspectives and lively exchanges, albeit on the same subject. She would nevertheless be advising her successor of the importance of the Executive Committee and its subsidiary bodies, which were the most important global forum for mobilizing interest in and support for refugees and UNHCR's work.

9. Lastly, she said that, when she had accepted the position of High Commissioner 10 years before, she had been conscious of the daunting challenges that lay ahead. She had done her best, but she could not have succeeded without the extraordinary support of Governments, the United Nations, international organizations and NGOs. She was sincerely grateful to them and hoped that they would offer the same support and encouragement to her successor.

10. The CHAIRMAN paid tribute to Mrs. Ogata for her admirable work at the helm of UNHCR and for her unwavering advocacy of the cause of refugees. He thanked delegations for the constructive approach they had taken throughout the session, which had thus taken place in an atmosphere of remarkable sincerity and friendliness. For his part, he undertook to work during his period of office towards two objectives he considered important, i.e. improving the dialogue between UNHCR and its partners (States, regional and international organizations and NGOs) and ensuring the safety of all humanitarian staff.

CLOSURE OF THE SESSION (agenda item 12)

11. After the customary exchange of courtesies, the CHAIRMAN declared the fifty-first session of the Executive Committee closed.

The meeting rose at 11.10 a.m.